IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8122 of 2005

Between:

1 Mohd Hussain S/o Mohd. Moulana Saheb
R/o Erragadda, Hamlet of Parigi Parigi Mandal Ranga Reddy District
2 Smt. Ameena Bee W/o Saheb Hussain
R/o Erragadda, Hamlet of Parigi Parigi Mandal Ranga Reddy District
3 Smt. Zaheera Begum W/o M.A. Gafoor
R/o Erragadda, Hamlet of Parigi Parigi Mandal Ranga Reddy District

..... PETITIONERS

AND

1 The Revenue Divisional Officer, Chevella Division of Ranga Reddy District
at Athapur, Rajendranagar Mandal Ranga Reddy District
2 The Mandal Revenue Officer, Parigi mandal, Ranga reddy District
3 B. Chandraiah S/o Ramaiah
R/o Narayanapur Village, Parigi Mandal, Ranga Reddy District
4 B. Anantaiah S/o Ramaiah
R/o Narayanapur Village, Parigi Mandal, Ranga Reddy District
5 B. ayanna S/o Ramaiah
R/o Narayanapur Village, Parigi Mandal, Ranga Reddy District
6 B. Ramaiah S/o Ramaiah
R/o Narayanapur Village, Parigi Mandal, Ranga Reddy District
7 B. Hanumaiah S/o Ramaiah
R/o Narayanapur Village, Parigi Mandal, Ranga Reddy District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more in the nature of Mandamus declaring the action of the 2nd Respondent in not initiating the action by duly mutating the names of the petitioners in accordance with Sec. 3(3) of A.P. Rights in Land and Pattadar Pass Book act, 1971 as illegal, arbitrary unreasonable and violative of principles of natural justice and consequently direct the Mandal Revenue Officer to mutate the names of the petitioners in the Revenue records peratining to land in Sy.No. 136/A and 136/B admeasuring Ac. 4.19 guntas each respectively in

Narayanpur Vilalge, Parigi Mandal, Ranga Reddy District.
Counsel for the Petitioners: MR.A.RAVINDER REDDY
Counsel for the Respondent Nos. 1 and 2: GP FOR REVENUE
Counsel for the Respondent Nos.3 to 7: -

This Court at the admission stage made the following:

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO. 8122 OF 2005

-

ORDER :

The writ petitioners claim to be the owners and possessors of the land situated in Sy.Nos.136/A and 136/B admeasuring Ac.4.19 guntas each respectively in Narayanpur Village, Parigi Mandal, Ranga Reddy District. It is stated that it came to their notice that the names of the respondents 3 to 7 have been wrongly shown in the pahanis for the year 1994-95 in respect of the land in their occupation. In the circumstances, they made an application before the respondents 1 and 2 seeking rectification of the entries. The 1st respondent – Revenue Divisional Officer, by letter dated 12-01-1996 directed the 2nd respondent – Mandal Revenue Officer to take up the necessary action for rectification of the revenue records following the procedure contemplated under Section 3(3) of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 (for short, 'the Act'). However, the second respondent failed to take the necessary action in spite of several representations made by the petitioners, the latest being on 6-11-2004. Hence, this writ petition seeking a declaration that the inaction on the part of the 2nd respondent is arbitrary and illegal.

I have heard the learned Counsel for both the parties and perused the material on record.

Having regard to the facts and circumstances of the case and keeping in view the letter of the 1st respondent – Revenue Divisional Officer dated 12-01-1996, the learned Government Pleader for Revenue states that the necessary action for

rectification of the entries will be taken by the third respondent, who is the competent authority under the Act, following the due procedure as contemplated under the Act.

Accordingly, the Writ Petition is disposed of with a direction to the 2nd respondent to consider the application of the petitioners dated 6-11-2004 and to pass appropriate orders in accordance with law after affording due opportunity to the respondents 3 to 7 herein following the procedure prescribed under the provisions of the Act, as expeditiously as possible preferably within a period of three months from the date of receipt of this order. No costs.

_____

25th April, 2005.

Note:- CC in a week.

(B/O)

ghn

To

1 The Revenue Divisional Officer, Chevella Division of Ranga Reddy District at Athapur, Rajendranagar Mandal Ranga Reddy District
2 The Mandal Revenue Officer, Parigi mandal, Ranga reddy District

3 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (O.U.T.)

4 Two CD copies.